

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN DIEGO REGION

TENTATIVE

ORDER NO. R9-2006-0098

ADMINISTRATIVE ASSESSMENT OF CIVIL LIABILITY
AGAINST
MINSHEW BROTHERS STEEL CONSTRUCTION, INC.
1278 VIGILANTE ROAD, LAKESIDE
FOR
VIOLATION OF
STATE BOARD ORDER NO. 97-03-DWQ

The California Regional Water Quality Control Board, San Diego Region (hereinafter Regional Board), on June 30, 2006, having received a signed waiver of public hearing form and a payment of \$6,000 and having reviewed the allegations contained in Complaint No. R9-2006-0078, dated June 6, 2006, and on the recommendation for administrative assessment of civil liability pursuant to California Water Code section 13385 in the amount of \$6,000, finds as follows:

1. Minshew Brothers Steel Construction, Inc. filed a Notice of Intent on May 11, 2001 for coverage under State Board Order No. 97-03-DWQ, *National Pollutant Discharge Elimination System General Permit No. CAS000001, Waste Discharge Requirements for Discharges of Storm Water Associated with Industrial Activities Excluding Construction Activities (General Permit)*.
2. Order No. 97-03-DWQ requires the submittal of an annual storm water monitoring report by July 1 of each year. Minshew Brothers Steel Construction, Inc. failed to submit the Fiscal Year 2003-04 and 2004-05 annual reports.
3. Consideration of the factors prescribed in California Water Code section 13385(e) based upon information available to the Regional Board supports the assessment of civil liability in the amount of six thousand dollars (\$6,000).
4. The Regional Board incurred costs of \$2,000 to prosecute the enforcement action including: investigation, preparation of enforcement documents, communication with the Discharger, and preparation of materials for public review and hearing.

5. Issuance of this Order is exempt from the provisions of the California Environmental Quality Act (Public Resources Code section 21000 et seq.) in accordance with Section 15521, Chapter 3, Title 14, California Code of Regulations.

IT IS HEREBY ORDERED that pursuant to section 13385 of the California Water Code, civil liability is imposed on Minshew Brothers Steel Construction, Inc. in the amount of six thousand dollars (\$6,000).

I, John H. Robertus, Executive Officer, do hereby certify the foregoing is a full, true and correct copy of an Order imposing civil liability assessed by the California Regional Water Quality Control Board, San Diego Region, on August 16, 2006.

TENTATIVE

JOHN H. ROBERTUS
Executive Officer